

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

UNITED STATES OF AMERICA

Plaintiff,

v.

MARQUON T. JACKSON and
ANDREA C. REED,

Defendants.

Case No. 18-CR-74-JPS

ORDER

Defendants are charged in a three-count indictment with narcotics and firearms offenses. (Docket #1). On January 29, 2018, law enforcement seized approximately \$29,980.00 from the residence of Defendants, 6XX N. 4th Street, Apartment XXX, Milwaukee, Wisconsin. The asset was turned over to the Drug Enforcement Administration for the purpose of initiating administrative forfeiture proceedings. *See* 18 U.S.C. § 983(a)(1). During those proceedings, Defendant Andrea Reed filed a claim contesting forfeiture of the asset. To defeat the claim, the government commenced this criminal action with the indictment filed on April 17, 2018, which contains an allegation that the asset is subject to criminal forfeiture. *See id.* § 983(a)(3).

The government now seeks an order from the Court that it may maintain custody of the seized asset pending the resolution of these proceedings. (Docket #4); 18 U.S.C. § 983(a)(3)(B)(ii)(II). The Court, having reviewed the government's submission and the applicable statutes, finds that such an order is warranted under these circumstances, where the asset was lawfully seized through process in a different matter and it may be subject to criminal forfeiture in this proceeding. *See* 21 U.S.C. § 853(e)(1);

United States v. Scarmazzo, No. 1:06-CR-00342-AWI, 2007 WL 587183, at *3 (E.D. Cal. Feb. 22, 2007).

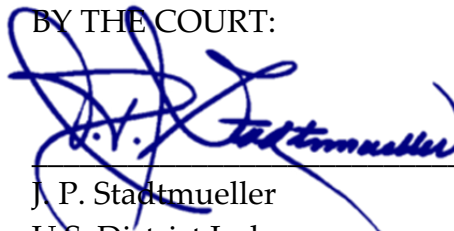
Accordingly,

IT IS ORDERED that the government's motion for an order allowing it to maintain custody of seized property pursuant to 18 U.S.C. § 983(a)(3)(B)(ii)(II) (Docket #4) be and the same is hereby **GRANTED**; and

IT IS FURTHER ORDERED that pursuant to 21 U.S.C. § 853(e)(1), the United States and its agencies, including the Drug Enforcement Administration, are authorized to maintain and preserve the seized asset until this criminal case is concluded or pending further order of this Court. The Court further concludes that this order satisfies the requirements of 18 U.S.C. § 983(a)(3)(B)(ii)(II).

Dated at Milwaukee, Wisconsin, this 13th day of June, 2018.

BY THE COURT:



J. P. Stadtmueller
U.S. District Judge